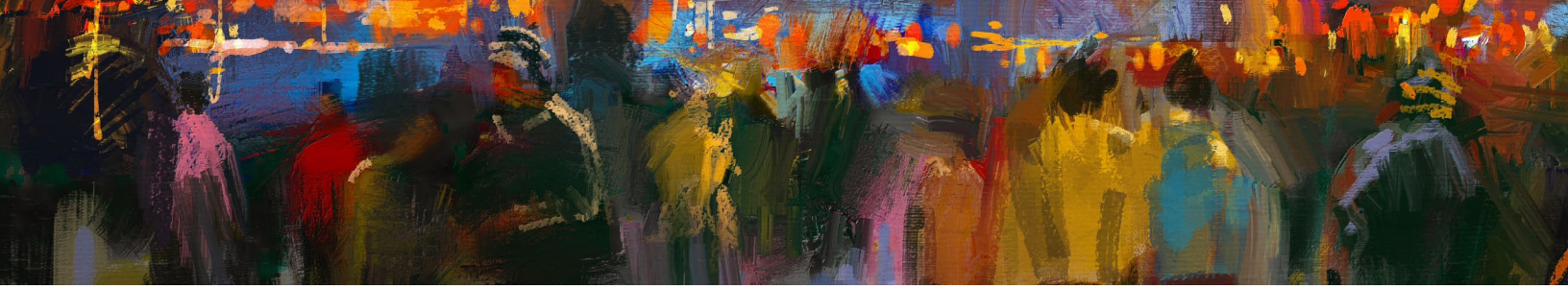

Special Immigrant Religious Worker Visa Program

What is the Special Immigrant Religious Worker Visa Program (SIRWVP)?

It is an employment-based visa category[1] that allows ministers[2] and non-ministers in religious vocations or occupations[3] to come and permanently live in the United States in order to carry out full-time religious-based work. You can find detailed information on the eligibility requirements here.[4]

Is this the same as the R-1 visa?

No. R-1 visas[5] are for foreign nationals who are coming to the United States *temporarily* to be employed as ministers or in religious vocations or occupations. The SIRWVP is intended for those looking to permanent live in the U.S.

Is there a yearly cap on the number of Special Immigrant Religious Worker visas issued?

Yes and No. For the non-minister religious workers only 5,000 SIRWVP visas may be issued each fiscal year. However, there is no cap for ministers under the SIRWVP.

Is the program permanent?

Pieces of the program are permanent. While the minister portion of the program is permanent, the non-minister portion became law in 1990 and was enacted with a "sunset" or "expiring" provision. This means that for the program to continue it needs reauthorization from Congress. SIRWVP has enjoyed broad, bipartisan support in Congress and has been reauthorized numerous times since then. Currently, the program is set to expire on September 30, 2017.

Why is it critical to extend the non-minister portion of the program?

American religious communities have found the SIRWVP vital to carrying out their mission. Religious workers receiving these visas provide critical services in a variety of areas, including religious education and care for vulnerable populations such as the elderly, immigrants, refugees, the homeless and hungry, abused and neglected children, and families at risk. Other recipients work in areas as diverse as designing and building temples, producing religious publications, sustaining prison ministries, and training health care professionals to provide religiously appropriate health care.

What is USCCB/MRS doing to support an extension of the program?

The U.S. Conference of Catholic Bishops/Migration and Refugee Services views an extension of this program as vital to our religious organizations and the communities we serve. We have repeatedly advocated for a permanent extension of the non-minister portion of the religious worker visa program. We have also urged Congress to, at a minimum, extend the program for several years to enable us to effectively plan for our short-term organizational needs. We are dedicated to continuing our advocacy on this front.

Footnotes

1. 8 U.S.C. § 1101(a)(27)(C); 8 U.S.C. § 1153(B)(4).

2. Ministers covered by the program are those individuals who have been authorized by their religious denomination and are fully trained to conduct religious worship and engage in other responsibilities typically performed by clergy.

3. Examples of those who called to a vocation include nuns, monks, and sisters. Examples of those in religious occupations include missionaries, counselors, translators, and religious instructors.

4. Special Immigrant Religious Workers, U.S. CITIZENSHIP AND IMMIGRATION SERVICES (Jan. 27, 2017), https://www.uscis.gov/working-united-states/permanent-workers/employment-based-immigration-fourth-preference-eb-4/special-immigrant-religious-workers.

5. 8 U.S.C. § 1101(a)(15)(R).